Docket No: 4860.P2436   Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Vogel, J. Leslie III	)	
	)	
Serial No.: 09/659,864	)	Examiner: Tran, Tongoc
	)	
Filed: September 12, 2000	)	Art Unit: 2134
	)	
For: USER CONTROL OF A SECURE	)	
WIRELESS COMPUTING NETWORK	)	
	)	

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCEPT UNINTENTIONALLY DELAYED REPLY

UNDER 37 C.F.R. 1.137(b)

Dear Sir:

Applicant hereby petitions to revive the above-noted abandoned application.

The entire delay in reply by the Applicant was unintentional. Applicant has also enclosed a check in the amount of $1540.00 for payment of the petition fee as set forth in 37 C.F.R. 1.17(m). Applicant hereby petitions that this petition fee be accepted as the delay in reply by the Applicant was unintentional.

Please charge any shortages or credit any overages to our Deposit Account No. 02-2666. A duplicate copy of this Petition is enclosed for deposit account charging purposes.
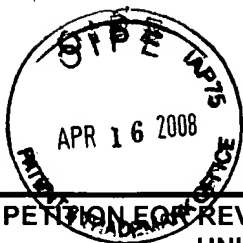
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: _4/14_, 2008   _____
                             Chui-kiu Teresa Wong
                             Reg. No. 48,042

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Sunnyvale, CA 94085-4040
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04/17/2008 CNGUYEN2 00000003 09659864
02 FC:1453   1540.00 OP

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)	Docket Number (Optional)
	4860P2436

First Named Inventor: J. Leslie Vogel, III

Application No.: 09/659,864   Art Unit: 2134

Filed: September 12, 2000   Examiner: Tongoc Tran

Title: USER·CONTROL OF A SECURE WIRELESS COMPUTING NETWORK

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306

> NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

> NOTE: A grantable petition requires the following items:
> (1) Petition fee;
> (2) Reply and/or issue fee;
> (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
> (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee $_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
☒ Other than small entity - fee $1540.00 (37 CFR 1.17(m)).

2. Reply and/or fee
   A. The reply and/or fee to the above-noted Office Action in the form of <u>RCE with amendment</u> (identify type of reply:
        has been filed previously on
        – is enclosed herewith.
   B. The issue fee and publication fee (if required) of .
        has been paid previously on .
        is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

    ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

    ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of $65 for a small entity or $130 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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WARNING:
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Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identify theft. Personal information such as social security numbers, bank account numbers, or credit card numbers) other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the document before submitted them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

April 14, 2008	*[signature]*
Date	Signature
Telephone	
Number: (408) 720-8300	Chui-Kiu Teresa Wong, Reg. No. 48,042
	Typed or printed name & Registration No.

Blakely, Sokoloff, Taylor & Zafman LLP
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040

Enclosures: ☒ Fee Payment
                ☒ Reply
                ☐ Terminal Disclaimer Form
                ☒ Additional sheets containing statements establishing unintentional delay
                ☐ Other:

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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]
</div>

I hereby certify that this correspondence is being:

    ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

    ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

April 14, 2008	*[signature]*
Date	Signature
	Joyce Klein
	Typed or printed name of person signing certificate

SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Based on Form PTO/SB/64 (10-05) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 11/30/05.

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